

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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|--------------------------|---|------------------------------|
| |) | |
| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | CRIMINAL NO. 04-CR-10115-RCL |
| |) | |
| SPENCER GRAY, |) | |
| KARL LAWRENCE PRESCOTT, |) | |
| KEVIN VICKERS, |) | |
| Defendants |) | |

GOVERNMENT'S ASSENTED TO MOTION TO EXCLUDE TIME

Now comes the United States, by its attorneys, Michael J. Sullivan, United States Attorney, and David G. Tobin, Assistant U.S. Attorney, and hereby moves to exclude from all Speedy Trial Act calculations the period of time from November 2, 2004 (the date of a scheduled Status Conference) to and including November 10, 2004 (the date to file motions to dismiss) (excludable delay pursuant to 18 U.S.C. § 3161(h)(1)(F) and § 3161(h)(8)(A)). The requested delay is in the interests of justice and outweighs the best interests of the public and the defendant in a speedy trial. The defendants, through counsel, assented to this request at the Status Conference on November 2, 2004.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ David G. Tobin
DAVID G. TOBIN
Assistant U.S. Attorney